

12-9-05  
IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

RICHARD LAMAR CARTER  
GEORGE HOWELL  
VERNON CHARLES SMITH  
GLORIA BUTLER  
DANNY KIRKLAND  
ROBERT ROLLINS

Plaintiffs,

v.

CSX TRANSPORTATION, INC.,

Defendant.

700 SEC - A 15-52  
CIVIL ACTION NO.: CV590-276  
CV590-273  
CV590-278  
CV591-005  
CV591-019  
CV597-076

**ORDER**

Plaintiffs have designated portions of two depositions of William Edwin Mims as testimony which they seek to introduce at the trials of the captioned cases. Those depositions were not taken in any of these cases. Defendant has filed Objections to the introduction of those portions of Mims' depositions. (Doc. 130.)

The designated portions of the depositions of William Edwin Mims will be allowed only if relevant and the requirements of Federal Rule of Evidence 804 (b)(1) are satisfied.

**SO ORDERED**, this 9<sup>th</sup> day of December, 2005.

  
JAMES E. GRAHAM  
UNITED STATES MAGISTRATE JUDGE